

ASSEMBLY BILL

No. 872

Introduced by Assembly Member Bogh

February 18, 2005

An act to add Section 39843 to the Education Code, relating to schoolbuses.

LEGISLATIVE COUNSEL'S DIGEST

AB 872, as introduced, Bogh. Schoolbuses: school districts: reporting of driver incidents.

Existing law requires the State Board of Education to adopt reasonable regulations relating to the use of schoolbuses by school districts and others, except that the regulations may not govern the safe operation of schoolbuses that are required to be adopted instead by the Department of the California Highway Patrol. Existing law provides that any officer, agent, or employee of a school district, or any other person knowingly operating, or permitting or directing the operation of a schoolbus in violation of any regulation or order of the Department of the California Highway Patrol, and any person knowingly operating a schoolbus without possessing the required qualifications for schoolbus operators, is guilty of a misdemeanor.

This bill would require school districts to report to the Department of the California Highway Patrol any incidents in which the actions of a schoolbus driver may have placed the health, well-being, or safety of the pupils being transported at risk, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39843 is added to the Education Code,
2 to read:
3 39843. A school district shall report to the Department of the
4 California Highway Patrol any incidents in which the actions of a
5 schoolbus driver may have placed the health, well-being, or
6 safety of the pupils being transported at risk.
7 SEC. 2. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.